

NSR Interaction: NR 445 – 449

Searched PDF text on “modif” and “constr” for permit issues. Used ch. NR 445 language OK’d by NRB February 24th.

Chapter	Subsection	Modification language	Permit issues/Comments
NR 406.04	(2)(f)1.	exempt from NSR if below thresholds OR meet compliance demonstration and notification requirements in 445.08(7)(b)	highlighted phrase is NSR rule change that will take effect if NR 445 revision proceeds – 445.08(7)(b) intended like “registration” permit or “self-certification”
NR 407.14	(1)	mandatory revisions – required if changes to any applicable requirement, except if change in applicable requirement is due to addition of or revision to HAP standard	highlighted phrase is OP rule change that will take effect if NR 445 revision proceeds
NR 445.04	(1), (2), (3)(a) & (b), (4), (5)(a)	modifications [to compounds in Table 1, 2, 3, or 4] between Oct 1, 1988 and effective date of revision can’t exceed table values (old thresholds) unless allowed by NR 406.07(2)	406.07(2) refers to projects not classified as modification if meet 406.04(4) “exclusions from modification” (TLV ratio) – <i>assumes existing permit?</i>
	(4r)(a) & (5)(b)	modifications [to compounds in Table 5] between Jan 1, 1995 and effective date of revision can’t exceed table values (old thresholds) unless allowed by NR 406.07(2)	406.07(2) refers to projects not classified as modification if meet 406.04(4) “exclusions from modification” (TLV ratio) – <i>assumes existing permit?</i>
	(6)(a)	modifications between Oct 1, 1988 and effective date of revision use following compliance options	– <i>assumes existing permit?</i>
NR 445.05		requirements for modifications pre-Oct 1, 1988	comply with old thresholds until compliance due date – <i>assumes existing permit?</i>
NR 445.07	(5)(f)	exemption for units with good wood combustion if modified before Oct 1, 1988	none
NR 445.08	(4)	any <u>elected limits</u> {based on new thresholds & compounds} must be included in <u>permit</u> or general or specific order	<i>no specifics on which type of permit or timeline</i>
	(6)(a)	comply upon startup if modified after rule revision date	<i>assuming limits in NSR if necessary to elect caps or other conditions?</i>
	(6)(b)	modification before revision date, with PTE below thresholds, maintain records starting within 36 months of rule revision	<i>goes back to (4) if electing limits to keep PTE below thresholds?</i>

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NR 445.08	(6)(c)	modification before revision date and PTE over thresholds, 18 months to submit compliance plan, 36 months to comply	details must be submitted via operation permit (revision or renewal) according to 445.08(7) for this requirement
NR 445.09	(4)(c)	IC engines either built/rebuilt between 7/1/06 and 7/1/10, modified <u>after</u> rule revision and combust >40,000 gallons/yr = must comply with toxic BACT	submit NSR application under NR 406.03
NR 445.09	(4)(d)	IC engine construct or last modified <u>before</u> rule revision date and combust >40,000 gallons/yr = toxic BACT	submit details in operation permit (amendment to application, renewal or significant revision)
Original NESHAPs			
NR 446.04	(1), (2), (3)(b) & (4)(a)	testing deadlines for “construction or modification after 2/1/84” for listed facilities	Most of these don’t mention permits, but a source is not exempt from NR 406 if affected by s. 112 of CAA (NESHAPs).
NR 447.18	(1)	Written approval from Administrator required to construct facility that changes asbestos waste to non-asbestos waste.	
	(2)	Conduct start up performance test.	
NR 448.04	(1)	testing deadlines for “construction or modification after 2/1/84” for listed facilities	
NR 449.07	(2)(h)	leak detection program required for operations modified after 2/1/84	
NR 449.08		propose alternative control options in application for construct or modify	
NR 449.09	(1)	testing deadlines for “construction or modification after 2/1/84” for listed facilities	
NR 449.11	(1)	reporting deadline for “modification after 2/1/84”	
NR 449.12	(2)	reporting deadline for “modification after 2/1/84”	

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